

By: Toth

H.B. No. 3895

A BILL TO BE ENTITLED

AN ACT

relating to the name of The Woodlands Road Utility District No. 1, of Montgomery County, Texas, and to the administration, powers, and duties of the district.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1(a), Chapter 816, Acts of the 72nd Legislature, Regular Session, 1991, is amended to read as follows:

(a) Pursuant to Article III, Section 52, of the Texas Constitution, a road utility district is created in Montgomery County, subject to approval at a confirmation election under Section 9 of this Act, to be known as "The Woodlands Road Utility District No. 1[~~, of Montgomery County, Texas~~]," which shall be a governmental agency and a body politic and corporate.

SECTION 2. Section 2(3), Chapter 816, Acts of the 72nd Legislature, Regular Session, 1991, is amended to read as follows:

(3) "District" means the The Woodlands Road Utility District No.1[~~, of Montgomery County, Texas~~].

SECTION 3. Sections 6(a) and (b), Chapter 816, Acts of the 72nd Legislature, Regular Session, 1991, are amended to read as follows:

(a) The district has all of the rights, powers, privileges, authority, duties, and functions conferred by the general law of this state applicable to road utility districts created under Article III, Section 52, of the Texas Constitution, including

Chapter 441, Transportation Code [~~13, Acts of the 68th Legislature,~~
~~2nd Called Session, 1984 (Article 6674r-1, Vernon's Texas Civil~~
~~Statutes)]~~, to the extent those provisions can be made applicable.
If any provision of general law is in conflict or inconsistent with
this Act, this Act prevails.

(b) In addition to the rights, powers, privileges,
authority, and functions provided by Subsection (a) of this
section, the district may:

(1) add or exclude territory in the manner provided by
Subchapter H, Chapter 54, Water Code, and may define the boundaries
of the district by:

(A) metes and bounds;

(B) reference to property descriptions in
documents filed for record in the real property records of the
county or counties in which the district is located; or

(C) a combination of the methods described in
Paragraphs (A) and (B);

(2) contract with any person for the payment,
repayment, or reimbursement, out of bond proceeds or any other
specified source of funds, of any costs and reasonable carrying
costs incurred by that person for or on behalf of the district,
including the costs of constructing, acquiring, or improving a
district facility, notwithstanding that the facility may have been
conveyed to and accepted by the appropriate governmental entity
prior to the payment, repayment, or reimbursement;

(3) make application for and contract with any person
or entity to: receive, administer, and perform the district's

1 duties and obligations under any federal, state, local, or private
2 gift, grant, loan, conveyance, transfer, bequest, donation, or
3 other financial assistance arrangement relating to the
4 investigation, planning, analysis, study, design, acquisition,
5 construction, improvement, completion, implementation, or
6 operation by the district or others of a proposed or existing
7 district facility or other roadway, water borne, pedestrian
8 movement, or public transportation or conveyance system, facility,
9 or improvement contemplated or described by Article III, Section
10 52(b), of the Texas Constitution; and

11 (4) provide or secure the payment or repayment of the
12 district's costs or share of the costs by or through a contract or
13 agreement with any person, or the issuance of district bonds, the
14 levy of a maintenance tax, or the assessment of fees, in the manner
15 provided by general law.

16 SECTION 4. Chapter 816, Acts of the 72nd Legislature,
17 Regular Session, 1991, is amended by adding Sections 6A to read as
18 follows:

19 Sec. 6A. ELIGIBILITY REQUIREMENTS FOR ELECTION JUDGES AND
20 CLERKS. Notwithstanding the requirements of Section 32.051,
21 Election Code, to be eligible to serve as a judge or clerk for a
22 district election, a person must be a qualified voter of either
23 Harris County or Montgomery County.

24 SECTION 5. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2013.